

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Juan E. Batista Aybar, being duly sworn, do hereby depose and state the following:

1. That I am a U.S. Customs and Border Protection Enforcement Officer with the Department of Homeland Security, assigned to investigate Immigration Law violations and Criminal Laws of the United States at the Luis Muñoz Marín International Airport, Carolina, Puerto Rico. As an Enforcement Officer my duties and responsibilities include the enforcement of the Immigration and Nationality Act (INA). Furthermore, as an Enforcement Officer I am assigned to conduct investigations of criminal violations of the immigration laws of the United States, including violations of Title 8 and Title 18 of the United States Code, and to ensure the removal of those aliens that have been found to be in the United States in violation of the immigration laws. I graduated as an Immigration Inspector at the Glynn County, GA Federal Law Enforcement Center (FLTC) on March 03, 2003. I have been employed with DHS/CBP as a C.B.P. Officer since December 02, 2002, and as a Criminal Enforcement Officer since June 08, 2009.

2. Investigation reveals that, on or about Saturday, March 23, 2025, in the District of Puerto Rico, within the jurisdiction of this Court, **Santos Merilio PEREZ BAEZ**, a Dominican Republic Citizen, did knowingly, in reckless disregard, did knowingly, willfully and intentionally bring to the United States, transported or moved 5 illegal aliens, knowing that said persons were aliens, at a place and at a time other than a designated port of entry as designated by the Secretary of Homeland Security. All in violation of 8 U.S.C. Section 1324(a)(1)(A)(i). Therefore, this Affidavit is made in

support of a Criminal Complaint against **Santos Merilio PEREZ BAEZ** based on violation of Title 8, *United States Code*, Section 1324(a)(1)(A)(i).

3. I make this affidavit based on my own personal knowledge and on oral and written reports by other federal, state, and/or local law enforcement agents and officers that investigated this matter. This affidavit does not contain all the information derived from this investigation only that which is sufficient to demonstrate probable cause to believe that a crime has been committed.

### **PROBABLE CAUSE**

4. On March 23, 2025, at approximately 12:00 PM, Puerto Rico Police Department (PRPD), F.U.R.A., marine unit detected a 30-foot Sailboat vessel by the name of Atlantis, approximately four nautical miles from Cabo Rojo, PR with 6 aliens on board, who claimed that they were in distress. PRPD Maritime Unit alerted and notified the United States Coast Guard, and they intercepted the vessel at sea. The United States Coast Guard detained all aliens and transported them to Mayagüez Ferry Terminal in Mayagüez, PR. U.S. Customs & Border Protection Officers responded to the area and detained 6 undocumented aliens, (1) one from the Dominican Republic, (4) from Brazil and (1) Albanian.

5. On March 23, 2025, at approximately 16:30 PM, this affiant from the Luis Munoz Marin Airport was instructed to respond to the Mayagüez Ferry Terminal area for the above smuggling incident, to interview subjects.

6. All six subjects were transported to the Mayagüez Ferry Station for further investigation, processing and removal proceedings. All adult subjects freely and

voluntarily admitted to this affiant that they were illegally present in the United States. Four of the subjects, that is, two adults, and two minors were nationals and citizens of Brazil, another subject was a citizen and national of Albania, and a fifth subject, **Santos Merilio PEREZ BAEZ**, was a citizen and national of the Dominican Republic, and who identified himself as the captain of the Atlantis vessel.

7. During processing and due to the lack of visas or documents that would allow them to apply for admission or remain in the United States, they were detained and transported to U.S. Customs and Border Protection San Juan port of entry for further processing and investigation.

8. At the San Juan port of entry, Luis Muñoz Marin International Airport, all subjects photographs, and fingerprints (except minors) were taken and entered to different law enforcement databases. Databases confirmed that none of the six subjects had legal status in the United States.


9. Multiple subjects from the group of immigrants admitted having contacted a smuggling organization in the Dominican Republic led by the owner of the vessel a man named “Pablo” and that they were going to pay an approximate amount of \$25,000.00 USD to the smuggling organization after the trip was completed and they were delivered to their respective destination.

10. In addition, multiple subjects from the group of immigrants identified **Santos Merilio PEREZ BAEZ** as captain of the vessel Atlantis, and part of the organization with knowledge of the maritime smuggling venture, as during departure from the Dominican Republic and along the way to Cabo Rojo he kept emphasizing that

if they were stopped by authorities, they had to say they were on the way to Martinique to vacation, and to not mention anything about Puerto Rico.

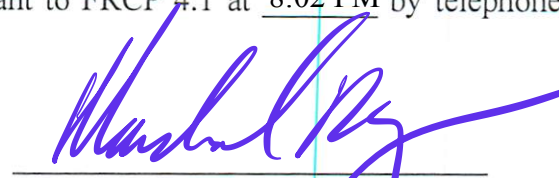
11. In addition, **Santos Merilio PEREZ BAEZ** improperly tried to enter the United States, at a time or a place not designated by the Secretary of Homeland Security, as well as trying to elude examination or inspection by immigration officers in violation of Title 8, *United States Code*, 1325(a)(1).

12. Based upon my training, experience, and participation in other investigations, and based on the facts revealed in this investigation, I believe that sufficient probable cause exists to demonstrate the commission of a violation of federal law by the above-mentioned subject **Santos Merilio PEREZ BAEZ**, to wit, a violation of Title 8, *United States Code*, Section 1324(a)(1)(A)(i) and Section 1325(a)(1).



Juan E. Batista Aybar  
Criminal Enforcement Officer  
U.S. Customs & Border Protection

Subscribed and Sworn before me pursuant to FRCP 4.1 at 8:02 PM by telephone, this 25th day of March 2025.



Honorable Marshal Morgan  
United States Magistrate Judge  
District of Puerto Rico